

DOCKET NO. C01039.70020.US

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<b>REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL</b>  Subsection (b) of 36 U.S.C. § 132, effective on May 28, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995. See The American Inventors Protection Act of 1999 (AIPA).	Application Number	09/337,584
	Confirmation Number	9169
	Filing Date	June 21, 1999
	First Named Inventor	Krieg
	Group Art Unit	1631
	Examiner Name	Martinnell, James

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 28, 2000. If the above-identified application was filed prior to May 28, 2000, you may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) instead of an RCE to be eligible for the patent term adjustment provisions of the AIPA.

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1. Submission required under 37 C.F.R. § 1.114
  - a. Previously submitted
    - i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on . (Any unentered amendment(s) referred to above will be entered.)
    - ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on .
    - iii. ☐ Other:
  - b. Enclosed is/are:
    - i. ☐ Amendment/Reply
    - ii. ☐ Affidavit(s)/Declaration(s)
    - iii. ☒ Information Disclosure Statement (IDS)
    - iv. ☒ Other: Form PTO-1449 and copies of references cited therein (2); Return Receipt Postcard
2. Miscellaneous
  - a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_ months. (Period of suspension shall not exceed 3 months) and the Fee of \$130.00 under 37 C.F.R. § 1.17(l) is enclosed.
  - b. ☒ Other: Petition Under 37 C.F.R. § 1.313(c) is filed concurrently under separate cover.
3. Fees - The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.
  - a. ☒ Enclosed is a check in the amount of \$750.00 which covers:
    - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e)
    - ii. ☐ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)
    - iii. ☐ Other
4. If the filing of this RCE necessitates an extension of time under 37 CFR § 1.136(a), the applicant hereby requests such extension of time.
5. If there is no check enclosed, or if the amount of the enclosed check in this RCE is incorrect, the Director is hereby authorized to charge any deficiency or credit any overpayment to Deposit Account No. 23/2825.

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**6. CORRESPONDENCE ADDRESS***Correspondence address below***CUSTOMER NUMBER:****23628****OR**

<b>ATTORNEY'S NAME</b>	Alan W. Steele, M.D., Ph.D., Reg. No. 45,128				
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<b>7. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED</b>					
<b>NAME</b>	Alan W. Steele, M.D., Ph.D., Reg. No. 45,128				
<b>SIGNATURE</b>					
<b>DATE</b>	January 27, 2003				
<p align="center"><b>CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)</b></p> <p>The undersigned hereby certifies that this document is being placed in the United States mail with first-class postage attached, addressed to <b>BOX RCE</b>, Commissioner for Patents, Washington, D.C. 20231, on the 27<sup>th</sup> day of January, 2003.</p> <p align="center">          Alan W. Steele, M.D., Ph.D.</p>					

**F A X C O V E R****Date:** February 4, 2003**Number of pages (including cover):** 9**To:** Examiner Karen Creasy, U.S. Patent and Trademark Office**Fax No.:** 703.308.6916**Serial No.:** 09/337,584**Title:** METHODS OF TREATING ALLERGIC AND ASTHMATIC DISORDERS USING IMMUNOSTIMULATORY OLIGONUCLEOTIDES**From:** Alan W. Steele, M.D., Ph.D.**Direct dial:** 617.573.7857**Our File #:** C01039.70020.US**FAX RECEIVED****FEB 04 2003****PETITIONS OFFICE****CERTIFICATE OF FACSIMILE TRANSMISSION 37 C.F.R. §1.6(d)**

The undersigned hereby certifies that this document is being transmitted via facsimile to the attention of Examiner Karen Creasy, FAX number 703.308.6916, at the United States Patent and Trademark Office, Washington, D.C. 20231, in accordance with 37 C.F.R. §1.6(d), on the 4<sup>th</sup> day of February, 2003.

  
\_\_\_\_\_  
Alan W. Steele, M.D., Ph.D.**ORIGINAL DOCUMENTS WILL NOT BE MAILED.****MESSAGE:** Transmitted herewith is/are copy of RCE and IDS.

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**PATENTS   TRADEMARKS   COPYRIGHTS   TECHNOLOGY TRANSFERS   LITIGATION**

Serial No. 09/337,584 File No. CO1039.70090-US By: AKS/HCL  
 Title: METHODS OF TREATING ALLERGIC AND ASTHMATIC...  
 Application of: KRIG ET AL. WGS Date: 1/22  
 The U.S. PTO Mail Room acknowledges receipt of the following on the date stamped hereon:

<input type="checkbox"/> Mailing by Express Mail (37 CFR 1.10)	<input type="checkbox"/> Provisional Application Cover Sheet
<input type="checkbox"/> Express Mail Label No.	<input type="checkbox"/> Multiple Dependent Claim Fee Sheet
<input type="checkbox"/> Patent Application	<input checked="" type="checkbox"/> Inf. Disc. Statement, PTO Form 1449
<input type="checkbox"/> Non-provisional <input type="checkbox"/> Provisional	<input checked="" type="checkbox"/> References Cited
Ind. <input type="checkbox"/> pages, ( <input type="checkbox"/> pgs) Specification,	<input type="checkbox"/> Priority Document(s) #
( <input type="checkbox"/> pgs) Abstract, ( <input type="checkbox"/> pgs) Claims ( <input type="checkbox"/> # claims)	<input type="checkbox"/> Copy of Notice to File Missing Parts
<input type="checkbox"/> Design Patent Application	<input type="checkbox"/> Amendment/Response
Declaration(s)	<input type="checkbox"/> Petition for Ext. of Time (x2)
Drawings <input type="checkbox"/> Sheet(s) (FIGS. <input type="checkbox"/> )	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Formal <input type="checkbox"/> Informal	<input type="checkbox"/> Letter to Official Draftsperson
<input type="checkbox"/> Utility Patent Application Transmittal	<input type="checkbox"/> Notice of Appeal
Fee calculation sheet (x2)	<input checked="" type="checkbox"/> Brief (x3)
CPA Transmittal	<input checked="" type="checkbox"/> Check for <u>\$750.00</u> Check # <u>14200</u>
Verified Statement claiming small entity status	<input checked="" type="checkbox"/> Transmittal Letter (x2)
Assignment and Cover Sheet	<input checked="" type="checkbox"/> Cert. of Mailing under 37 CFR 1.8(s)

☒ Other Request for Continued Examination

DATE MAILED January 27, 2003

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